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 Counsel had complied with LR IA 10-2

IN THE UNITED STATES DISTRICT COURT  
 FOR THE DISTRICT OF NEVADA  
 SOUTHERN DIVISION

SHERRY LYNN SMITH-GRUBE, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 KILOLO KIJAKAZI, )  
 Acting Commissioner of )  
 Social Security, )  
 )  
 Defendant. )

CIVIL ACTION NO.  
 2:21-cv-01574-BNW  
 MOTION FOR EXTENSION OF  
 TIME TO FILE PLAINTIFF'S  
 MOTION FOR REVERSAL  
 AND/OR REMAND AND  
 SUPPORTING BRIEF

AND NOW comes plaintiff, by and through counsel, Mark D. Barrett, Esq. and Hal Taylor, Esq., and respectfully requests an extension of time of Thirty (30) DAYS to file her Motion for Reversal and/or Remand and Supporting Brief.

There is good cause for this request. The certified administrative record in this case exceeds 2,000 pages and plaintiff intends on raising multiple fact-intensive issues, which combined with an unusually busy briefing schedule has resulted in the need for this request. As the Court is undoubtedly aware, defendant has been diligently working to “catch-up” the backlog of certified transcripts due in federal court Social Security disability appeals nationwide, which has had the effect of significantly increasing the number of cases calendared for briefing.<sup>1</sup> As a result, plaintiff respectfully requests a 30-day extension of time to file her opening brief; plaintiff will endeavor to submit her brief in advance of the extended deadline, but based on the foregoing respectfully requests an extension in order to ensure that the issues are fully and concisely presented to the Court.

Counsel for the defendant has been contacted and has no objection to this motion being granted, provided that SSA is allowed a concomitant extension of time to file its response.

BY: /s/ Hal Taylor  
 Hal Taylor, Esq.  
 Local Counsel  
 December 8, 2021

BY: /s/ Mark D. Barrett  
 Mark D. Barrett, Esq.  
 Pro Hac Vice Attorney for Plaintiff  
 December 8, 2021

### **Order**

IT IS SO ORDERED

DATED: 1:14 pm, December 09, 2021



BRENDA WEKSLER  
 UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup> In affidavits filed in many Social Security disability appeals from Jebby Rasputnis, SSA’s Executive Director of the Office of Appellate Operations, Defendant reports that the Agency has essentially doubled the rate of production that existed pre-COVID-19 pandemic (from an average of 300-400 hearing transcriptions per week prior to the pandemic and to its current capacity to produce more than 700 per week).

**Certificate of Service**

I hereby certify that on the 8th day of December, 2021, I electronically filed the foregoing with the Clerk of the District Court using its CM/ECF system, which would then electronically notify the following CM/ECF participants on this case:

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/s/ Mark D. Barrett  
Mark D. Barrett, Esq.